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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/669,345

09/25/2003

Valerie Walker

1456-3/MBE

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08/30/2010

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CANADA

EXAMINER

SCHATZ, CHRISTOPHER T

ART UNIT

PAPER NUMBER

1791

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/669,345	<b>Applicant(s)</b> WALKER ET AL.	
	<b>Examiner</b> CHRISTOPHER SCHATZ	<b>Art Unit</b> 1791	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 8-10 and 17-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 11-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-7 and 11-16 are rejected under 35 U.S.C. 102(b) as anticipated by Yamamoto et al.

As to claim 1, Yamamoto teaches a method comprising: positioning a first material 33 on a work surface 39 with an adhesion zone exposed and applying an anchoring adhesive 34' to the first material or second material or both to form a plurality of substantially isolated adhesive anchors separated by interstitial spaces (Figure 11; column 5, line 56 – column 6, line 33). After the adhesive anchors 34' have cured (column 11, lines 2-4) to form a plurality of physical and chemical bonding sites within the adhesion zone the reference teaches: applying a bonding adhesive 32 to the first material before the bonding adhesive has cured (column 6, lines 45-46), placing the second material into contact with the adhesive anchors and curing the bonding adhesive to bond the bonding adhesive to the adhesive anchors (column 10, line 52 - column 11, line 23; column 7, lines 25-55), removing the bonded material from the work surface, whereby the adhesive anchors have a relatively higher degree of adhesion to

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the first material or to the second material or to both than the bonding adhesive after curing of the adhesive anchors, and the bonding adhesive intrudes into the interstitial spaces before curing and when cured bonds to the adhesive anchors (column 7, lines 25-55; column 5, lines 20-55; column 11, lines 24-30; column 15, lines 4-18; figure 11). The adhesive anchors have a relatively higher degree of adhesion to the first material than the degree of adhesion of the bonding adhesive to the first material because the anchoring adhesive is cured to the first material (see above cited text) and the bonding adhesive is not cured when first applied to the first material. The claim does not require that the anchoring adhesive have a relatively higher degree of adhesion to the first material than the degree of adhesion of the bonding material *after* the bonding material has cured.

As to claim 11, Yamamoto teaches a method comprising: positioning a first material 33 on a work surface 39 with an adhesion zone exposed and applying an anchoring adhesive 34' to the first material or second material or both to form a plurality of substantially isolated adhesive anchors separated by interstitial spaces (Figure 11; column 5, line 56 – column 6, line 33). After the adhesive anchors 34' have cured (column 11, lines 2-4) to form a plurality of physical and chemical bonding sites within the adhesion zone the reference teaches: applying a casting adhesive 32 to the first material before the casting adhesive has cured (column 6, lines 45-46), allowing the casting adhesive to cure whereby the adhesive anchors have a relatively higher degree of adhesion to the first material or to the second material or to both than the casting adhesive after curing of the anchoring adhesive, removing the bonded casting adhesive

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and material from the work surface, and whereby the casting adhesive intrudes into the interstitial spaces before curing and when cured bonds to the adhesive anchors (column 7, lines 25-55; column 5, lines 20-55; column 11, lines 24-30; column 15, lines 4-18; figure 11; column 10, line 52 - column 11, line 23; column 7, lines 25-55).

As to claims 2 and 12, Yamamoto teaches such a claimed screen printing step (column 10, line 65 - column 11, line 7; column 16, lines 8-24). As to claims 3 and 13, the reference teaches the anchoring adhesive applied in a uniform pattern (figure 11). As to claims 4 and 14, Yamamoto teaches the claimed adhesive impervious portions. As to claims 6, 16, 5 and 15, the reference teaches that the anchoring adhesive is rigid (column 5, lines 1-26) and that the bonding adhesive is flexible (column 1, lines 13-14). Yamamoto also teaches the limitations of claim 7 (figure 11, column 15, lines 3-18).

### ***Response to Arguments***

3. Applicant's arguments filed 06/21/2010 have been fully considered but they are not persuasive.

The applicant states that during the interview on 06/02/2010, the examiner stated that adding the phrase "of the anchoring adhesive" to "after curing" would distinguish the claims from the prior art. This is not accurate. The interview summary dated 06/04/2010 is clear as to what was stated. The examiner agreed that amending the last line of step c in claim 1 to read "second material or to both after curing of the bonding adhesive" and adding to the last line of step c in claim 11 "after curing of the bonding adhesive" would overcome the merits of the rejection as currently written.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER SCHATZ whose telephone number is (571)272-6038. The examiner can normally be reached on Monday through Friday 9 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CHRISTOPHER SCHATZ/  
Examiner, Art Unit 1791